



THE ATTORNEY GENERAL OF TEXAS

AUSTIN 11, TEXAS

GROVER SELLERS
~~WILLIAM H. HARRIS~~
ATTORNEY GENERAL

Honorable R. C. Neaves
County Auditor, Grayson County
Sherman, Texas

Dear Mr. Neaves:

Opinion No. 0-5683

Re: Authority of county to appropriate and expend money from general fund, in co-operation with State Department of Health and certain cities, in behalf of public health and sanitation within county.

We have received your recent request for an opinion on the following subject:

Authority of Grayson County to appropriate and expend the sum of \$4,950 from its general revenues, in co-operation with certain municipalities within said county and the State Department of Health. Said sum so appropriated to be expended on salaries, expenses and supplies used for and in behalf of public health and sanitation within such county.

Article 4418f, Vernon's Annotated Civil Statutes, provides as follows:

"It shall be lawful for the State Department of Health to accept donations and contributions, to be expended in the interest of the public health and the enforcement of public health laws. The Commissioners Court of any County shall have the authority to appropriate and expend money from the general revenues of its County for and in behalf of public health and sanitation within its County."

Article 4434, Vernon's Annotated Civil Statutes, provides as follows:

"The municipal authorities of towns and cities, and commissioners courts of the counties wherein such towns and cities are situated, may cooperate with each other in making such improvements connected with said towns, cities and counties as said authorities and courts may deem necessary to improve the public health

and to promote efficient sanitary regulations; and, by mutual arrangement, they may provide for the construction of said improvements and the payment therefor."

Said Article 4418f, supra, specifically authorizes the commissioners' court of the county to expend funds from its general revenue fund for county purposes for and in behalf of public health and sanitation. Such provision contemplates the rendering of financial aid in co-operation with the State Department of Health in the administration of the health and sanitation regulations and the protecting of the public health within the confines of the county. Such statute does not place any control or limitation on such expenditures as to how the money may be expended.

Article 4434, supra, authorized co-operation between the governing authorities of the county and cities and towns therein situate in making improvements as may be deemed necessary to improve public health, etc.

Such funds, as inquired about, expended in co-operation with the State Department of Health in its authorized administration of the health and sanitation laws of the State within the county and in co-operation with cities and towns, situated within such county, in the furtherance of such purposes, would meet the requirements of the statutes.

Therefore, it is the opinion of this department, that the appropriation and expenditure of such funds, as pointed out hereinabove, are authorized under the law, if the provisions of the County Budget Law are complied with.

Trusting this satisfactorily clarifies the subject inquired about, we are

Yours very truly,

ATTORNEY GENERAL OF TEXAS

By (signature)

Robert L. Lattimore, Jr.

. Assistant

RLL:EP:JCP:wc

APPROVED APR 25, 1944

s/Geo. P. Blackburn

Acting ATTORNEY GENERAL OF TEXAS

APPROVED: Opinion Committee By s/BWB Chairman